

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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STATE OF NEVADA; JUSTICE COURT, HENDERSON TOWNSHIP; and K BARRIE,

## Plaintiffs,

V.

ROBERT AMBROSE EDWARDS,

**Defendant.**

Case No. 2:16-CV-00744-APG-VCF

## **ORDER REMANDING CASE**

Defendant Robert Ambrose Edwards filed a removal petition seeking to remove a state court criminal proceeding against him. ECF No. 1. Edwards contends removal is proper based on federal question jurisdiction. *Id.* He asserts the federal question at issue here is the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692k(d). That statute provides:

An action to enforce any liability created by this subchapter may be brought in any appropriate United States district court without regard to the amount in controversy, or in any other court of competent jurisdiction, within one year from the date on which the violation occurs.

However, this is not an action to enforce liability created by the FDCPA. Rather, it is a criminal prosecution based on Ambrose allegedly writing a proposal for services without a contractor's license. ECF No. 1 at 19, 21. Criminal matters cannot be removed from state court to federal court. Removal therefore was improper and I remand this case to the court from which it was removed.

IT IS THEREFORE ORDERED that the case is remanded to the state court from which it was removed for all further proceedings. The Clerk of the Court is instructed to close this case.

DATED this 3<sup>rd</sup> day of May, 2016.

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**ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE**